1.10

1

<u>S.B. No. 1700</u>

A BILL TO BE ENTITLED

AN ACT

2	relating to the administration of the weather modification and
3	control grant program.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Section 20.001, Agriculture Code, as added by
6	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
7	is amended to read as follows:
8	Sec. 20.001. FINDINGS. The legislature finds that weather
9	modification and control activities may have a significant impact
10	on Texas agriculture. The legislature further finds that the Texas
11	Department of Licensing and Regulation [Agriculture] is the proper
12	state agency to administer grants to political subdivisions for
13	weather modification and control activities.
14	SECTION 2. Section 20.002, Agriculture Code, as added by
15	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
16	is amended to read as follows:
17	Sec. 20.002. <u>DEFINITIONS</u> [DEFINITION]. In this chapter:
18	(1) "Department" means the Texas Department of
19	Licensing and Regulation.
20	(2) "Weather [, "weather] modification and control"
21	means changing or controlling, or attempting to change or control,
22	by artificial methods the natural development of atmospheric cloud
23	forms or precipitation forms that occur in the troposphere.
24	SECTION 3. (a) This Act takes effect September 1, 2003.

The Department of Agriculture and the Texas Department (b) Licensing and Regulation shall adopt a memorandum understanding not later than October 1, 2003, that provides for the transfer of the weather modification and control grant program under Chapter 20, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, from the Department of Agriculture to the Texas Department of Licensing and Regulation. 7 The memorandum of understanding shall prescribe the manner by which 8 the transfer shall be accomplished and provide for the transfer to 9 the Texas Department of Licensing and Regulation of funds 10 appropriated to the Department of Agriculture and other money 11 received by the department under Chapter 20, Agriculture Code, for 12 the administration of the grant program as well as the transfer of 13 any files, records, equipment, property, and personnel necessary to 14 accomplish the transfer. The transfer required by this subsection 15 must be completed not later than January 1, 2004. 16

1

2

3

4

5

6

By: Wentworth
(In the Senate - Filed March 14, 2003; March 20, 2003, read first time and referred to Committee on Natural Resources; April 25, 2003, reported adversely, with favorable Committee Substitute by the following retar Value 10, 2003 1-1 1-2 1-3 1-4

Substitute by the following vote: Yeas 10, Nays 0; April 25, 2003, 1-6 sent to printer.)

1-5

1-10 1-11

1-12

1-13

1-14 1-15 1-16

1-17

1-18

1-19 1-20 1-21 1-22

1-23

1-24

1-25

1-26

1-27 1-28

1-29

1-30

1-31 1-32

1-33

1 - 34

1-35 1-36 1-37

1-38 1-39

1-40

1-41

1-42 1-43 1-44

1-45 1-46

1 - 47

1-48 1-49

1-50 1-51 1-52

1-53

1-54

1-55 1-56 1-57 1-58

1-59

1-60 1-61 1-62

1-63

COMMITTEE SUBSTITUTE FOR S.B. No. 1700 By: Barrientos 1-7

A BILL TO BE ENTITLED 1-8 AN ACT 1-9

> relating to the administration of the weather modification and control grant program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 20.001, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

The legislature finds that weather Sec. 20.001. FINDINGS. modification and control activities may have a significant impact on Texas agriculture. The legislature further finds that the Texas Department of <u>Licensing and Regulation [Agriculture</u>] is the proper state agency to administer grants to political subdivisions for weather modification and control activities.

SECTION 2. Section 20.002, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 20.002. DEFINITIONS [DEFINITION]. In this chapter:

"Department" means the Texas Department

Licensing and Regulation.

(2) "Weather [, "weather] modification and control" means changing or controlling, or attempting to change or control, by artificial methods the natural development of atmospheric cloud forms or precipitation forms that occur in the troposphere.

SECTION 3. On the effective date of this Act, in accordance Act enacted bу the General Appropriations the

Legislature:

(1) all powers, duties, obligations, rights, and contracts of the Department of Agriculture associated with the weather modification and control grant program are transferred to the Texas Department of Licensing and Regulation;

(2) all authority to fill full-time equivalent positions to administer the weather modification and control grant program and all unspent and unobligated appropriations to and other money held by the Department of Agriculture in connection with the program are transferred to the Texas Department of Licensing and Regulation; and

(3) all files, records, equipment, and other property of the Department of Agriculture that are used by that agency in connection with the administration of the weather modification and control grant program become the property of the Texas Department of Licensing and Regulation, but remain in the same location unless moved in accordance with the memorandum of understanding adopted under Section 4 of this Act.

The Department of Agriculture and the Texas SECTION 4. Department of Licensing and Regulation shall adopt a memorandum of understanding not later than the 30th day after the effective date of this Act that provides for the transfer, by that date, of any files, records, equipment, property, and personnel necessary to accomplish the transfer of the weather modification and control grant program from the Department of Agriculture to the Texas Department of Licensing and Regulation.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2003.

2-2 * * * * *

FAVORABLY AS SUBSTITUTED SENATE COMMITTEE REPORT ON

HÇR

SCR

By_

HJR

We, your Committee on NATU	RAL RES	OURCE	S	_, to which was	referred the atta	ched measure,
have on 4 22 03		had the s	ame unde	r consideration	and I am instruc	ted to report it
(date of hearing) back with the recommendation (s) that i						-
do pass as substituted, and be printed the caption remained the same as the caption changed with adoption	d s original r n of the su	neasure bstitute				
() do pass as substituted, and be ordered	ed not prin	ted				
() and is recommended for placement o	n the Loca	l and Un	contested	Bills Calendar.		
A fiscal note was requested.	yes	() no				
A revised fiscal note was requested.	(Vyes	() no				
An actuarial analysis was requested.	() yes	() no				
Considered by subcommittee.	() yes	() no				
The measure was reported from Commit	tee by the	following	vote:	NAY	ABSENT	PNV
Senator Armbrister, Chair			V			
Senator Jackson, Vice-Chair			V			
Senator Barrientos			V.			
Senator Duncan			V			
Senator Estes			V,			
Senator Fraser			V			
Senator Hinojosa			V			
Senator Lindsay			<u> </u>			
Senator Lucio			_V,	<u> </u>		
Senator Shapiro			WAL		V	
Senator Staples						
TOTAL VOTES			10	0		$\overline{\mathcal{D}}$
S260 Considered in public hearing S270 Testimony taken COMMITTEE OLERK	<u>COM</u>	X	E ACTIO	M Qu	Li	
COMMITTER CHEWY		OIL				

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute Retain one copy of this form for Committee files

WITNESS LIST

SB 1700

SENATE COMMITTEE REPORT

Natural Resources

April 22, 2003 - 1:00PM

FOR:

Williams, C.E. General Manager (Panhandle Groundwater Conservation District),

White Deer, TX

ON:

Bonnar, George (Texas Department of Licensing & Regulation), Austin, TX

Kuntz, William Executive Director (Texas Department of Licensing & Regulation),

Austin, TX

Registering, but not testifying:

FOR:

Bowers, Richard General Manager (North Plains Groundwater Conservation District),

Dumas, TX

Everheart, Harvey General Manager (Mesa Underground Water Conservation District),

Lamesa, TX

Harston, Ricky General Manager (Glasscock Groundwater Conservation District),

Garden City, TX

Holland, Scott General Manager (Irion County Water Conservation District), Mertzon,

TX

Mahoney, Mike Manager (Evergreen Underground Water Conservation District),

Pleansanton, TX

Stewart, Lonnie Manager (Bee GCD and Live Oak Underground Water Conservation

District), George West, TX

ON:

Funderburgh, Carol (Texas Department of Agriculture), Austin, TX

BILL ANALYSIS

Senate Research Center 78R12887 KEG-D

C.S.S.B. 1700 By: Wentworth Natural Resources 4/23/2003 Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the state weather modification program is split into two components, which places the technical and permitting function with the Texas Department of Licensing and Regulation and the grant function with the Texas Department of Agriculture. C.S.S.B. 1700 moves the grant function of the weather modification program to the Texas Department of Licensing and Regulation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 20.001, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, as follows:

Sec. 20.001. FINDINGS. Provides that the legislature finds that the Texas Department of Licensing and Regulation (TDLR), rather than the Texas Department of Agriculture (TDA), is the proper state agency to administer grants to political subdivisions for weather modification and control activities.

SECTION 2. Amends Section 20.002, Agriculture Code, as added by Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, as follows:

Sec. 20.002. New heading: DEFINITIONS. Defines "department" and makes a conforming change in the formatting of the Section.

SECTION 3. Sets forth provisions regarding the transfer of the weather modification and control grant program from TDA to TDLR.

SECTION 4. Requires TDA and TDLR to adopt a memorandum of understanding not later than the 30th day after the effective date of this Act that provides for the transfer, by that date, of any files, records, equipment, property, and personnel necessary to accomplish the transfer of the weather modification and control grant program from TDA to TDLR.

SECTION 5. Effective date: upon passage or September 1, 2003.

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 24, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and control grant program.), Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 22, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and control grant program.), As Introduced

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture

ADOPTED

MAY 0 6 2003

Latay Secul Secretary of the Senate

By: Wentworth

Substitute the following for 5.B. No. 1700:

By: C.S. S.B. No. 1700

A BILL TO BE ENTITLED AN ACT 1 relating to the administration of the weather modification and 2 3 control grant program. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 4 SECTION 1. Section 20.001, Agriculture Code, as added by 5 Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, 6 is amended to read as follows: 7 Sec. 20.001. FINDINGS. The legislature finds that weather 8 modification and control activities may have a significant impact 9 on Texas agriculture. The legislature further finds that the $\underline{\text{Texas}}$ 10 Department of Licensing and Regulation [Agriculture] is the proper 11 state agency to administer grants to political subdivisions for 12 weather modification and control activities. 13 SECTION 2. Section 20.002, Agriculture Code, as added by 14 Chapter 376, Acts of the 77th Legislature, Regular Session, 2001, 15 is amended to read as follows: 16 Sec. 20.002. DEFINITIONS [DEFINITION]. In this chapter: 17 means the Texas Department of (1) "Department" 18 Licensing and Regulation. 19 "Weather[- "weather] modification and control"

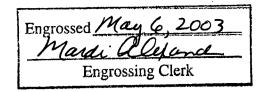
20 (2) "Weather[, "weather] modification and control"
21 means changing or controlling, or attempting to change or control,
22 by artificial methods the natural development of atmospheric cloud
23 forms or precipitation forms that occur in the troposphere.

SECTION 3. On the effective date of this Act, in accordance

4-25-63 5-6-03 ^W 5-21-089e w≥V

- 1 with the General Appropriations Act enacted by the 78th
- 2 Legislature:
- 3 (1) all powers, duties, obligations, rights, and
- 4 contracts of the Toxes Department of Agriculture associated with
- 5 the weather modification and control grant program are transferred
- 6 to the Texas Department of Licensing and Regulation;
- (2) all authority to fill full-time equivalent
- 8 positions to administer the weather modification and control grant
- 9 program and all unspent and unobligated appropriations to and other
- 10 money held by the Texas Department of Agriculture in connection
- 11 with the program are transferred to the Texas Department of
- 12 Licensing and Regulation; and
- 13 (3) all files, records, equipment, and other property
- 14 of the Texas Department of Agriculture that are used by that agency
- in connection with the administration of the weather modification
- 16 and control grant program become the property of the Texas
- 17 Department of Licensing and Regulation, but remain in the same
- 18 location unless moved in accordance with the memorandum of
- 19 understanding adopted under Section 4 of this Act.
- 20 SECTION 4. The Department of Agriculture and the Texas
- 21 Department of Licensing and Regulation shall adopt a memorandum of
- 22 understanding not later than the 30th day after the effective date
- 23 of this Act that provides for the transfer, by that date, of any
- 24 files, records, equipment, property, and personnel necessary to
- 25 accomplish the transfer of the weather modification and control
- 26 grant program from the Department of Agriculture to the Texas
- 27 Department of Licensin; and Regulation.

```
SECTION 5. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2003.
```



I certify this to be a true and correct copy of the indicated document as referred or transmitted to committee

Chief Clerk of the House

By: Wentworth (Swinford)

S.B. No. 1700

A BILL TO BE ENTITLED

1	AN ACT
2	relating to the administration of the weather modification and
3	control grant program.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Section 20.001, Agriculture Code, as added by
6	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
7	is amended to read as follows:
8	Sec. 20.001. FINDINGS. The legislature finds that weather
9	modification and control activities may have a significant impact
10	on Texas agriculture. The legislature further finds that the $\underline{\mathtt{Texas}}$
11	Department of Licensing and Regulation [Agriculture] is the proper
12	state agency to administer grants to political subdivisions for
13	weather modification and control activities.
14	SECTION 2. Section 20.002, Agriculture Code, as added by
15	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
16	is amended to read as follows:
17	Sec. 20.002. <u>DEFINITIONS</u> [DEFINITION]. In this chapter:
18	(1) "Department" means the Texas Department of

- 17
- 18 19 Licensing and Regulation.
- 20 "Weather[--"weather] modification and control" means changing or controlling, or attempting to change or control, 21
- 22 by artificial methods the natural development of atmospheric cloud
- forms or precipitation forms that occur in the troposphere. 23
- 24 SECTION 3. On the effective date of this Act, in accordance

S.B. No. 1700

- 1 with the General Appropriations Act enacted by the 78th
- 2 Legislature:
- 3 (1) all powers, duties, obligations, rights, and
- 4 contracts of the Department of Agriculture associated with the
- 5 weather modification and control grant program are transferred to
- 6 the Texas Department of Licensing and Regulation;
- 7 (2) all authority to fill full-time equivalent
- 8 positions to administer the weather modification and control grant
- 9 program and all unspent and unobligated appropriations to and other
- 10 money held by the Department of Agriculture in connection with the
- 11 program are transferred to the Texas Department of Licensing and
- 12 Regulation; and
- 13 (3) all files, records, equipment, and other property
- 14 of the Department of Agriculture that are used by that agency in
- 15 connection with the administration of the weather modification and
- 16 control grant program become the property of the Texas Department
- of Licensing and Regulation, but remain in the same location unless
- 18 moved in accordance with the memorandum of understanding adopted
- 19 under Section 4 of this Act.
- 20 SECTION 4. The Department of Agriculture and the Texas
- 21 Department of Licensing and Regulation shall adopt a memorandum of
- 22 understanding not later than the 30th day after the effective date
- 23 of this Act that provides for the transfer, by that date, of any
- 24 files, records, equipment, property, and personnel necessary to
- 25 accomplish the transfer of the weather modification and control
- 26 grant program from the Department of Agriculture to the Texas
- 27 Department of Licensing and Regulation.

S.B. No. 1700

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

Act takes effect September 1, 2003.

5

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 24, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and control grant program.), Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture

LBB Staff: JK, CL, JF, KG

2

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 22, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and control grant program.), As Introduced

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture



HOUSE O3 MAY 15 PM 3: 53 COMMITTEE REPORT, USE OF REPRESENTATIVES

1st Printing

By: Wentworth (Swinford)

24

S.B. No. 1700

A BILL TO BE ENTITLED

1	AN ACT
2	relating to the administration of the weather modification and
3	control grant program.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Section 20.001, Agriculture Code, as added by
6	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
7	is amended to read as follows:
8	Sec. 20.001. FINDINGS. The legislature finds that weather
9	modification and control activities may have a significant impact
10	on Texas agriculture. The legislature further finds that the Texas
11	Department of Licensing and Regulation [Agriculture] is the proper
12	state agency to administer grants to political subdivisions for
13	weather modification and control activities.
14	SECTION 2. Section 20.002, Agriculture Code, as added by
15	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
16	is amended to read as follows:
17	Sec. 20.002. <u>DEFINITIONS</u> [DEFINITION]. In this chapter:
18	(1) "Department" means the Texas Department of
19	Licensing and Regulation.
20	(2) "Weather[-"weather] modification and control"
21	means changing or controlling, or attempting to change or control,
22	by artificial methods the natural development of atmospheric cloud
23	forms or precipitation forms that occur in the troposphere.

SECTION 3. On the effective date of this Act, in accordance

S.B. No. 1700

- 1 with the General Appropriations Act enacted by the 78th
- 2 Legislature:
- 3 (1) all powers, duties, obligations, rights, and
- 4 contracts of the Department of Agriculture associated with the
- 5 weather modification and control grant program are transferred to
- 6 the Texas Department of Licensing and Regulation;
- 7 (2) all authority to fill full-time equivalent
- 8 positions to administer the weather modification and control grant
- 9 program and all unspent and unobligated appropriations to and other
- 10 money held by the Department of Agriculture in connection with the
- 11 program are transferred to the Texas Department of Licensing and
- 12 Regulation; and
- 13 (3) all files, records, equipment, and other property
- 14 of the Department of Agriculture that are used by that agency in
- 15 connection with the administration of the weather modification and
- 16 control grant program become the property of the Texas Department
- of Licensing and Regulation, but remain in the same location unless
- 18 moved in accordance with the memorandum of understanding adopted
- 19 under Section 4 of this Act.
- 20 SECTION 4. The Department of Agriculture and the Texas
- 21 Department of Licensing and Regulation shall adopt a memorandum of
- 22 understanding not later than the 30th day after the effective date
- 23 of this Act that provides for the transfer, by that date, of any
- 24 files, records, equipment, property, and personnel necessary to
- 25 accomplish the transfer of the weather modification and control
- 26 grant program from the Department of Agriculture to the Texas
- 27 Department of Licensing and Regulation.

S.B. No. 1700

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

COMMITTEE REPORT

The Honorable Tom Craddick Speaker of the House of Representatives 5-15-03

Sir:				
We, your COMMITTEE ON AC		ESTOCK		
to whom was referredback with the recommendation		have had the s	ame under conside	eration and beg to report
(v) do pass, without amendm () do pass, with amendment () do pass and be not printer	t(s).	e Substitute is recommer	nded in lieu of the o	riginal measure.
() yes () no A fiscal no	te was requested.			
() yes () no A criminal	justice policy impact sta	tement was requested.		
() yes () no An equaliz	zed educational funding i	mpact statement was rec	uested.	
() yes () no An actuari				
() yes () no A water de			ed.	•
() yes (no A tax equi		·		
(V) The Committee recommen	•	sent to the Committee o	n Local and Conse	nt Calendars.
For Senate Measures: House				
Joint Sponsors:				
Co-Sponsors:				
The measure was reported from	m Committee by the follo	wing vote:	PNV	ABSENT
Hardcastle, Chair	V			
Miller, Vice-chair				
Brown, B.	V			
Burnam				
Jones, D.				
Laney				V
Swinford	V			
			, ,//	
Total <u>5</u> 0 0	_ aye _ nay _ present, not voting	CHAIR	1	
2	absent			

BILL ANALYSIS

S.B. 1700 By: Wentworth Agriculture & Livestock Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the state weather modification program is split into two components, which places the technical and permitting function with the Texas Department of Licensing and Regulation and the grant function with the Texas Department of Agriculture. S.B. 1700 moves the grant function of the weather modification program to the Texas Department of Licensing and Regulation.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1700 amends the Agriculture Code which finds that the Texas Department of Licensing and Regulation (TDLR), rather than the Texas Department of Agriculture (TDA), is the proper state agency to administer grants to political subdivisions for weather modification and control activities. The bill sets forth provisions regarding the transfer of the weather modification and control grant program from TDA to TDLR. The bill requires TDA and TDLR to adopt a memorandum of understanding not later than the 30th day after the effective date of this Act that provides for the transfer, by that date, of any files, records, equipment, property, and personnel necessary to accomplish the transfer of the weather modification and control grant program from TDA to TDLR.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

SUMMARY OF COMMITTEE ACTION

SB 1700

'May 15, 2003

9:00AM

Considered in formal meeting
Recommended to be sent to Local & Consent
Reported favorably without amendment(s)



FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 22, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and

control grant program.), As Introduced

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture

Enrolled May 28, 2003

Mardi Weyard

Enrolling Clerk

S.B. No. 1700

1	AN ACT
2	relating to the administration of the weather modification and
3	control grant program.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Section 20.001, Agriculture Code, as added by
6	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
7	is amended to read as follows:
8	Sec. 20.001. FINDINGS. The legislature finds that weather
9	modification and control activities may have a significant impact
10	on Texas agriculture. The legislature further finds that the <u>Texas</u>
11	Department of Licensing and Regulation [Agriculture] is the proper
12	state agency to administer grants to political subdivisions for
13	weather modification and control activities.
14	SECTION 2. Section 20.002, Agriculture Code, as added by
15	Chapter 376, Acts of the 77th Legislature, Regular Session, 2001,
16	is amended to read as follows:
17	Sec. 20.002. <u>DEFINITIONS</u> [DEFINITION]. In this chapter:
18	(1) "Department" means the Texas Department of
19	Licensing and Regulation.
20	(2) "Weather[- "weather] modification and control"
21	means changing or controlling, or attempting to change or control,
22	by artificial methods the natural development of atmospheric cloud
23	forms or precipitation forms that occur in the troposphere.
24	SECTION 3. On the effective date of this Act, in accordance

- 1 with the General Appropriations Act enacted by the 78th
- 2 Legislature:
- 3 (1) all powers, duties, obligations, rights, and
- 4 contracts of the Department of Agriculture associated with the
- 5 weather modification and control grant program are transferred to
- 6 the Texas Department of Licensing and Regulation;
- 7 (2) all authority to fill full-time equivalent
- 8 positions to administer the weather modification and control grant
- 9 program and all unspent and unobligated appropriations to and other
- 10 money held by the Department of Agriculture in connection with the
- 11 program are transferred to the Texas Department of Licensing and
- 12 Regulation; and
- 13 (3) all files, records, equipment, and other property
- 14 of the Department of Agriculture that are used by that agency in
- 15 connection with the administration of the weather modification and
- 16 control grant program become the property of the Texas Department
- of Licensing and Regulation, but remain in the same location unless
- 18 moved in accordance with the memorandum of understanding adopted
- 19 under Section 4 of this Act.
- 20 SECTION 4. The Department of Agriculture and the Texas
- 21 Department of Licensing and Regulation shall adopt a memorandum of
- 22 understanding not later than the 30th day after the effective date
- of this Act that provides for the transfer, by that date, of any
- 24 files, records, equipment, property, and personnel necessary to
- 25 accomplish the transfer of the weather modification and control
- 26 grant program from the Department of Agriculture to the Texas
- 27 Department of Licensing and Regulation.

S.B. No. 1700

1	SECTION 5. This Act takes ef	fect immediately if it receives		
2	a vote of two-thirds of all the men	mbers elected to each house, as		
3	provided by Section 39, Article II	I, Texas Constitution. If this		
4	Act does not receive the vote neces	sary for immediate effect, this		
5	Act takes effect September 1, 2003.			
	President of the Senate	Speaker of the House		
	I hereby certify that S.B.	No. 1700 passed the Senate on		
	May 6, 2003, by a viva-voce vote.			
		Secretary of the Senate		
	T hereby certify that S B	No. 1700 passed the House on		
	May 28, 2003, by the following	<u>-</u>		
	present not voting.	1000. 1000 111, Ma ₁ 0 0, 0 m		
	present not voting.			
		Chief Clerk of the House		
	Approved:			
	Date			
	Covernor			

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 24, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and control grant program.), Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 22, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1700 by Wentworth (Relating to the administration of the weather modification and control grant program.), As Introduced

No significant fiscal implication to the State is anticipated.

This bill would amend Chapter 20 of the Agriculture Code to transfer the administration of the weather modification and control grant program from the Texas Department of Agriculture (TDA) to the Texas Department of Licensing and Regulation (TDLR).

TDA and TDLR would have to adopt a memorandum of understanding (MOU) no later than October 1, 2003. The MOU would have to provide for the transfer to TDLR of funds appropriated to TDA, which are currently \$2,483,574 a fiscal year, as well as other money received by TDA, for the administration of the grant program, as well as the transfer of any files, records, equipment, property, and personnel necessary to accomplish the transfer. TDLR does anticipate a onetime cost of \$5,900 in fiscal year 2004 associated with the purchase of new office and computer equipment for the program.

The transfer would have to be completed no later than January 1, 2004.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 551

Department of Agriculture

FORM-CT4	S.B. No
President of the Senate	Speaker of the House
I hereby certify that S.B.	No. 1700 passed the Senate on
May 6, 2003, by a viva	voce vote, by the following
Vote: Yeas, Nays	
	Secretary of the Senate
I hereby certify that S.B.	No. 1700 passed the House on
May 26, 2003, by a non-r vote: Yeas 144, Nays O, one,	ecord votes by the following present not voting.
- 0	
	Chief Clerk of the House
Approved:	

Date

Governor

1

A BILL TO BE ENTITLED

AN ACT: relating to the administration of the weather modification and control grant program.

MAR 1 4 2003	Filed with the Secretary of the Senate
MAR 2 0 2003	Read and referred to Committee on NATURAL RESOURCES Reported favorably
APR 2 5 2003	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time. Ordered not printed Laid before the Senate
MAY 0 6 2003	Senate and Constitutional Rules to permit consideration suspended by: unanimous consent nays
MAY 0 6 2003	Read second time,, and ordered engrossed by:
MAY 0 6 2003	Senate and Constitutional 3 Day Rule suspended by a vote of 30 yeas, 0 nays.
MAY 0 6 2003	Read third time,, and passed by: A viva voce vote
OTHER ACTION	v :
May 6, 2003	Engrossed
May 2, 203	Sent to House
Engrossing Clerk MAY 0 7 2003	Mardi alexand
MAY 0 7 2003	Received from the Senate
MAY 1 5 2003 MAY 1 6 2003	Read first time and referred to Committee on Agriculture and Livestock Reportedfavorably (as amostled) (as substituted)
MAY 2 8 2003	Sent to Committee on (Calendars) (Local & Consent Calendars) Read second time (committee) (amonded); passed to third reading (failed) by a (non-record vote) (record vote of
MAY 2 8 2003	Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of yeas, present, not voting. Read third time (amounts): finally passed (failed to suspend)
MAY 2 8 2003	Read third time (and b); finally passed (failed to pass) by a (new present, not voting) (record vote of yeas, nays, present, not voting)
	Returned to Senate. Kalent Hanry
AY 2 8 2003	Returned from House without amendment. CHIEF CLERK OF THE HOUSE
	Returned from House with amendments.

Concurred in House amendments by a viva voce vote _____ yeas, ____ nays.

	•		
	Refused to concur in House amendments and requested the appoint to adjust the differences.	nent of a Conferenc	e Committee
	Senate conferees instructed.		
	Senate conferees appointed:, Cha	nirman;	
	,, an	d	
4	House granted Senate request. House conferees appointed:		
	Conference Committee Report read and filed with the Secretary of the		
	Conference Committee Report adopted on the part of the House by:		
	a viva voce vote yeas, na	ys	
	Conference Committee Report adopted on the part of the Senate by:		
	a viva voce vote yeas, na	ys	
OTHER AC	CTION:		
	Recommitted to Conference Committee		
	Conferees discharged.		
	Conference Committee Report failed of adoption by:		
	a viva voce vote yeas, na	ys	:

03 MAY 15 PM 3: 53